

EXHIBIT 5

Beth McCullough

From: Schramek, Adam T. <adam.schramek@nortonrosefulbright.com>
Sent: Tuesday, September 02, 2014 3:58 PM
To: Ben Gastel
Cc: Hoffman, Eric; Gerard Stranch; Mark P. Chalos (mchalos@lchb.com); Puig, Yvonne K.
Subject: RE: NECC - Certificates of Coverage

Ben:

We plan to supplement our initial disclosures for the Saint Thomas Entities by providing copies of buffer and excess insurance policies for the years at issue. We will mark these as confidential under the Third Amended Protective Order entered by the court. Please confirm by reply e-mail that you will treat them accordingly.

With respect to the certificates of insurance Yvonne previously sent you, please note that Ascension is self-insured for the amounts below the excess policies. Accordingly, while there is a trust agreement, there is no policy "under which an insurance business may be liable" and thus nothing to produce under Rule 26.

Please confirm you will keep the insurance policies confidential and I will work to get them out to you.

Thanks,

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From: Ben Gastel [<mailto:beng@branstetterlaw.com>]
Sent: Tuesday, September 02, 2014 2:45 PM
To: Puig, Yvonne K.
Cc: Schramek, Adam T.; Hoffman, Eric; Gerard Stranch; Mark P. Chalos (mchalos@lchb.com)
Subject: RE: NECC - Certificates of Coverage

Yvonne,

Please provide an update on this issue. As I discussed with Adam last Friday, I am prepared to file a motion tomorrow if I need to.

Thank you,

Ben

From: Ben Gastel
Sent: Thursday, August 28, 2014 4:56 PM
To: Puig, Yvonne K.

Cc: Schramek, Adam T.; Hoffman, Eric; Gerard Stranch; Mark P. Chalos (mchalos@lchb.com)
Subject: Re: NECC - Certificates of Coverage

Yvonne,

I was under the impression the full policies would be produced. As I made clear in the letter last week we are going to insist on the full policy(including endorsements) as is clearly indicated by the rule and judge Boal's subpoena order.

Please produce the full policies immediately or we will get this issue before the court at the next status conference. If we do not have the full policies by sept 2, we will file a motion.

On Aug 28, 2014, at 4:15 PM, "Puig, Yvonne K." <yvonne.puig@nortonrosefulbright.com> wrote:

Ben: Attached please find Certificates of Coverage for the years in question, going back to July 2012. Have a safe labor day weekend, and hope you get some sleep, Yvonne.

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<FY15 PGL.pdf>

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